



TENNESSEE HUMAN RIGHTS COMMISSION
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March 23, 2007
Board of Commissioner's
Meeting Minutes

Commissioner's Present:

Commissioner Blalock
Commissioner Cocke
Commissioner Davis
Commissioner Garrett
Commissioner Hakeem (Phone)
Commissioner Jones (Phone)
Commissioner Osborne
Commissioner Pride
Commissioner Rogers
Commissioner Smith
Commissioner Starling
Commissioner Walker (Phone)
Chairman Wiggins

Commissioner's Absent:

Commissioner Horne
Commissioner Pierce

Staff Present:

Amber D. Gooding, Executive Director
Tiffany Baker Cox, Deputy Director
Robert Bright, Housing Director
Shay Rose, General Counsel
Lisa Lancaster, Executive Director's Asst.

Guests:

Roy Rogers

Call to Order and Invocation

The Board of Commissioner's meeting was called to order by Chairman Spencer Wiggins at 9:02 a.m. and roll call was taken. Commissioner Nathan Pride gave the invocation.

The minutes of the January 26, 2007 board meeting were reviewed and a motion was made to accept them by Commissioner Smith and seconded by Commissioner Blalock. A vote was taken and passed.

Announcements

Executive Director, Amber Gooding introduced Tiffany Baker Cox, the new Deputy Director. Executive Director Gooding brought to the board's attention the new banners outside purchased by the Commissions Outreach and Education division and noted that Communications Director, Esperanza Soriano McCrary is currently working on a 12 month plan. Matthew Stephenson, Bi-Lingual Employment Investigator has also joined the THRC staff.

Executive Director's Report

Executive Director Gooding updated the board on the Native American Indian Mascot discussion that took place at the January THRC Board Meeting noting that many phone calls, letters and emails have been received at THRC on the subject. Executive Director Gooding attended the TNAIA Commission meeting on March 17, 2007. THRC Executive Director Gooding and Chairman Wiggins will prepare a letter acknowledging their meeting with our Commission and their request for assistance and let the TNAIA Commission proceed accordingly.

General Counsel, Shalini Rose noted that a Public Accommodation complaint could be filed by a student who was offended by an Indian Mascot and would have to be investigated by the agency to ensure jurisdiction. Commissioner Starling informed the board that a piece of legislation preventing state agencies from accepting complaints filed that address the Indian mascot issue was introduced by Rep. Bell and it has passed the House subcommittee. The agency is tracking the bill and will meet with bill sponsors when indicated. Commissioner Smith made a motion to accept the report and Commissioner Garrett seconded the motion. A vote was taken and passed.

Chairman Wiggins took a moment and asked each new commissioner to introduce themselves to the Board. Edwin Osborne, CPA from Morristown, David Cocke, attorney from Memphis and Dennis Blalock, pastor from Jackson each spoke briefly. The board welcomed each one.

Budget & Audit Committee Report

Commissioner Hakeem updated the board on the March 9, 2007 Budget & Audit committee meeting. It was noted that the unused \$10,000 in training funds will be spent before the FY ends on June 30, 2007. Office of Business and Finance Director, Maureen Abbey has assured the Commission that all is in order. She informed the committee that the agency will return to the general fund \$25,000. The agency has received an expanded spending authority which will be used to fund an additional staff position.

It was reported that the building lease for the Central Office space will expire in 2008 and the formal review process will begin this year by F & A. The Performance Audit has been distributed to the board by the office of State Audit and Director Gooding conducted a review with the Board.

The biggest problem noted in the previous audit was that the agency was not processing complaints in a timely manner and that the same findings were repeated from audit to audit. These issues included personnel, property management and time and attendance reporting. A line by line review of the audit document was conducted and the 4 audit findings and THRC responses were explained to the board.

Commissioner Starling reported that when questioned by the House Finance Committee Executive Director Gooding did an excellent job of representing the agency with professionalism and provided the requested audit finding resolution information to the committee. This information will also be distributed to all Commissioners.

Chairman Wiggins noted that agency work quality has improved tremendously over the last several years. The legal, housing and employment staff were thanked for their hard work and dedication to make the positive changes possible. Commissioner Davis made a motion to accept the report. Commissioner Pride seconded the motion. A vote was taken and passed.

Law and Legislative Committee

Commissioner Stacey Garrett updated the commission on the Rules hearings changes and the Law & Legislation committee meeting on March 22. The only change was the insertion of the word handicap on page 3 of the rules. The omission of the word handicap was an oversight and the committee recommended making the insertion. The changes will be submitted to the Attorney General's office who must approve them before they are submitted to the Secretary of States office and then to the Government Operations committee. The committee recommends to the commission that the insertion of the word handicapped be accepted. A motion was made to accept the recommendation of the committee by Commissioner Smith and seconded by Commissioner Osborne. A roll call vote was taken and passed unanimously.

Commissioner Davis made a motion to accept the Law & Legislative committee report. Commissioner Osborne seconded the motion.

Employment Case Report

Deputy Director, Tiffany Cox reported to the commission on the status of the employment case inventory noting that from November 17, 2006 until March 14, 2007, 225 cases have been received. A total of 163 cases have been closed and the average case age was 192 days. It was noted that the goal is 180 days and that goal was not met due to staffing issues with the medical issues of two investigators and the departure of another. Another investigator has been added to the staff and he will be attending EEOC training soon. Complaints received are way up which shows that the PSA's are working. There were 16 settlements totaling \$209,222. A packet will be provided to each commissioner at the close of the meeting, to assist them with advising potential complainants. A motion to accept the employment report was made by Commissioner Starling and seconded by Commissioner Davis. A vote was taken and passed.

Housing Case Report

Robert Bright, director of Housing, reported that 15 new complaints have been received with 10 cases closed for the period. Mr. Bright reported that all housing investigators except the two newest ones have completed their HUD 5 week training and passed the test so each of them is certified by HUD. Commissioner Garrett made a motion to accept the housing report. Commissioner Starling seconded the motion. A vote was taken and passed.

Legal Report

Shalini Rose, General Counsel, reported on a housing case that settled for \$2,500 and training for the staff, with a new written policy outlining how disability accommodations would be handled by the complex in future being reviewed by THRC for compliance. All other cases remain as updated on the written report. Commissioner Garrett made a motion to accept the report and Commissioner Rogers seconded the motion. A vote was taken and passed.

Communication Report

Executive Director Gooding gave the report in the absence of the Esperanza Soriano-McCrary, Director of Communications. Ms. Soriano McCrary is working on a 12 month plan. A Speakers bureau on the THRC website is being developed and she requests that commissioner's contact her for assistance in filling the requests for speakers.

The meeting was adjourned at 10:40 a.m. by Chairman Wiggins.